

CHANGES AND CORRECTIONS

Thursday, June 23, 2005

16. Approve an ordinance authorizing acceptance of \$302,205 in grant funds from the Federal Emergency Management Agency (FEMA) for Assistance to Firefighters Grant Program for enhancements to the existing Fire Department Wellness/Fitness programs; and amending the Fiscal Year 2004-2005 Fire Department Operating Budget Special Revenue Fund of Ordinance No. 040913-01 to appropriate \$302,205 for the creation of five (5.0) ~~three (3.0)~~ full-time equivalent positions. ...
42. Approve a resolution amending Resolution No. 020822-33 to clarify the City Council's statement of public purpose related to the Del Valle Water and Wastewater Annexation Project for the acquisition by eminent domain of the fee simple interest in a permanent wastewater easement containing 781 square feet of land and a temporary workspace easement containing 781 square feet of land out of Lot 3, Block 1, A. L. Royster Addition, Travis County, Texas, **(Item is withdrawn)**
47. Approve a resolution amending Resolution No. 030515-6 to clarify the City Council's statement of public purpose related to the Del Valle Water and Wastewater Annexation Project, and acquisition by eminent domain of a permanent wastewater line easement containing 775 square feet of land and a temporary workspace easement containing 776 square feet of land out of Lot 4, Block 1, A.L. Royster Addition, Travis County, Texas, ... **(Item is withdrawn)**
48. Approve a resolution amending Resolution No. 020822-34 to clarify the City Council's statement of public purpose related to acquisition by eminent domain of a permanent wastewater line easement containing 780 square feet of land and a temporary work space easement containing 781 square feet of land out of Lot 1, Block 1, Davidson City Addition, Travis County, Texas, generally known as 3161 Highway 71 East, in Travis County, Texas,... **(Item is withdrawn)**
49. Approve a resolution amending Resolution No. 020822-32 to clarify the City Council's statement of public purpose related to acquisition by eminent domain of a permanent easement containing 783 square feet of land and a temporary work space easement containing 627 square feet of land out of Lot 2, Block 1, A.L. Royster Addition, Travis County, Texas, generally known as 3157 Highway 71 East, in Travis County, Texas, ... **(Item is withdrawn)**
81. Authorize extending the duration of the authority of the professional services agreement with the following nine firms; HVJ ASSOCIATES, INC. (MBE/MB), Austin, TX; KLOTZ ASSOCIATES, Austin, TX; DANNENBAUM ENGINEERING CORPORATION, Austin, TX; MARTINEZ, WRIGHT & MENDEZ (MBE/MH) Austin, TX; BAKER-AICKLEN & ASSOCIATES, INC., Austin, TX; HNTB, Austin, TX; OTHON, INC., (MBE/MH), Houston, TX; LOCKWOOD, ANDREWS & NEWNAM, Houston, TX; and LOC CONSULTING ENGINEERS, INC., (MBE/MB) Austin, TX, for professional engineering consulting services for performing preliminary and engineering design of street reconstruction projects as part of the 1998 Street Reconstruction Bond Program in the amount of \$10,422,172. This action extends the duration of the authority of the professional services agreements until the original dollar authority is expended, **not to exceed two years**, for a total contract amount not to exceed \$10,422,172. 33.22% MBE and 13.77% WBE subconsultant participation goals to date.

87. Approve a resolution ratifying the ~~Seventh~~ ~~Seend~~ Supplemental Contractual Agreement for Right-of-Way Procurement (ROW CSJ NO.:011308039) with the Texas Department of Transportation, amending the provisions of the Contractual Agreement regarding reimbursement to the City of Austin of expenditures for right-of-way acquisition and utility relocation for the proposed tolled portion of U.S. 290 West from Joe Tanner to Scenic Brook Drive and including the State Highway 71 Intersection.
103. Approve negotiation and execution of an Interlocal Agreement with Austin Independent School District (AISD) for the provision of transportation services for students participating in the Earth Camp program for the Fiscal Year 2005-2006 in an estimated amount of \$11,000; and to include two (2) additional one-year extension options for Fiscal Year 2006-2007 for \$11,550 and Fiscal Year 2007-2008 for \$12,128, for a total contract not to exceed \$34,678. (Funding in the amount of \$11,000 is included in the Fiscal Year 2005-2006 Proposed Operating Budget of the Watershed Protection and Development Review Department. This is contingent on approval of the Fiscal Year 2005-2006 budget and the availability of funding in future budgets.) (Postponed to July 28, 2005)
107. Approve a resolution directing the City Manager to determine the feasibility of establishing separate collections and repayment procedures for utility debt owed by participants in the Basic Needs Services Coalition of Central Texas's Best Single Source Project. (Council Member Raul Alvarez and Council Member Brewster McCracken and Council Member Leffingwell)
108. Approve a resolution directing the City Manager to determine the feasibility of using destination parkland funds to establish a disc golf course on the destination parkland tract referred to as "Solo Star." (Council Member Raul Alvarez and Council Member Brewster McCracken and Council Member Leffingwell)
137. Approve an ordinance waiving various fees and charges, including permit fees, in an amount not to exceed \$15,000 for related improvements for Pioneer Farms, located at 11418 Sprinkle Cut-Off Road. (Council Member Betty Dunkerley and Mayor Will Wynn and Council Member Brewster McCracken)
115. Discuss legal issues in *Walter Sessions, et al, et al. v. Rick Perry*, in his Official Capacity as Governor of the State of Texas, et al., Cause No. 2:03CV354 2:03CU354, in the United States District Court of the Eastern District of Texas -- Marshall Division. (concerns congressional redistricting)
120. Approve an ordinance authorizing a refunding agreement related to the issuance of approximately \$120,500,000 in City of Austin, Texas, Hotel Occupancy Tax Variable Rate Revenue Refunding Bonds, Series 2005; providing for payments through a subordinate lien pledge of both the 2% and 4.5% hotel occupancy tax proceeds; establishing funds and accounts related to the payment of the rate refunding agreement; authorizing the necessary enactment provisions incident and necessary to the agreement, and establishing an effective date. (No fiscal impact during Fiscal Year 2004-2005.) (Item is withdrawn)

122. Approve an ordinance authorizing the issuance of approximately \$120,500,000 in City of Austin, Texas, Hotel Occupancy Tax Variable Rate Revenue Refunding Bonds, Series 2005 **authorizing a refunding agreement; providing for payments of subordinate lien pledge of both the 2% and 4.5% hotel occupancy tax; establishing funds and accounts related to the payment of the rate refunding agreement; authorizing the necessary enactment provisions incident and necessary to the agreement, and establishing an effective date; and authorizing the execution of all related documents...**
129. C14-05-~~04~~-0091 - Family Dental Practice - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 901 East 15th Street (Waller Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning with conditions. ...
- Z- 10. C14-05-0061 - Escarpment Village - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9600 Escarpment Boulevard (Slaughter Creek - Barton Springs Zone) from community commercial - conditional overlay (GR-CO) combining district zoning to commercial - liquor sales (CS-1) district zoning. Zoning and Platting Commission Recommendation: ~~To be reviewed on June 21, 2005.~~ **To grant commercial - liquor sales (CS-1) district zoning.** Applicant: Escarpment Village, L.P. (John E. Baker). Agent: Drenner Stuart Wolff Metcalfe von Kreisler, L.L.P. (Michele Hausmann). City Staff: Wendy Walsh, 974-7719.

Items with late backup:

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TIME CERTAIN ITEMS

Thursday, June 23, 2005

- 9:55 A.M.** Invocation
- 10:00 A.M.** City Council Convenes
- 12:00 P.M.** CITIZEN COMMUNICATIONS: GENERAL
- 2:00 P.M.** Bond Sales (Items 120-122)
- 2:00 PM** BRIEFINGS (Items 123 and 124)
- 3:00 P.M.** BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING FINANCE CORPORATION. The Mayor will recess the City Council meeting. A Board meeting of Austin Housing Finance Corporation (AHFC) will be conducted. The AHFC Board may go into a closed session on any item on the AHFC agenda under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, or for other reasons permitted by law as specifically listed on this agenda. Following adjournment of the AHFC Board meeting the City Council will re-convene. (Items AHFC 1 and 2)
- 4:00 P.M.** ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS (Items 125-133 & 139, and Z-1 – Z-18)
(Staff will be requesting postponement of the following:
Item 131 – Pioneer Farms – to July 28, 2005
Item 132 – Shumaker Enterprises – to July 28, 2005
Item 139- Pioneer Crossing – to July 28, 2005
Z-16&17 – Gables at Westlake – to July 28, 2005
Z-18 – Hyde Park North – to July 28, 2005)
- 5:30 P.M.** LIVE MUSIC AND PROCLAMATIONS
- 6:00 P.M.** PUBLIC HEARINGS AND POSSIBLE ACTION (Items 134 and 135)
- 6:30 P.M.** Public Hearing - Continued (Item 136)

ITEMS PULLED FOR DISCUSSION
Thursday, June 23, 2005

3. **Adopt the amendment to the infrastructure corridor approved by the Balcones Canyonlands Conservation Plan (BCCP) Coordinating Committee of a 70 foot expansion of an existing 100 foot infrastructure corridor located in Barton Creek Wilderness Park for a total of 170 feet. (Recommended by Water and Wastewater Commission; reviewed by the Parks and Recreation Board, and the BCCP Coordinating Committee.)(Council Member Raul Alvarez)**
4. **Authorize the negotiation and execution of a license agreement with Lower Colorado River Authority (LCRA) to allow a 70 foot aerial expansion of an existing 100 foot infrastructure corridor located in Barton Creek Wilderness Park for a total 170 feet infrastructure corridor. (Revenue in the amount of \$32,500 to be paid to the Parks and Recreation for the granting of this License Agreement.) (Recommended by Water and Wastewater Commission; reviewed by the Parks and Recreation Board and the BCCP Coordinating Committee.)(Council Member Raul Alvarez)**
9. **Ratify execution of a construction contract with KEY ENTERPRISES, INC, Austin, TX, for construction of the Spicewood Parkway 8-inch Emergency Wastewater Replacement project in the amount of \$453,755.57. (Funding is available in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.)(Council Member Raul Alvarez)**
19. **Approve an ordinance amending the Fiscal Year 2004-2005 General Fund of Ordinance No. 040913-01, to decrease the Ending Balance by \$844,000 and increase the Transfer Out to CIP in the amount of \$844,000; amending the Fiscal Year 2004-2005 Financial Services Department Capital Budget of Ordinance No. 040913-02 by transferring \$159,315 to the Health and Human Services Capital Budget; amending the Fiscal Year 2004-2005 Health and Human Services Department Capital Budget of Ordinance No. 040913-02, to appropriate \$1,003,315 for the HHSD Campus Phase II Renovations. (Funding in the amount of \$844,000 is available in the Fiscal Year 2004-2005 General Fund Ending Balance and funding in the amount of \$159,315 is available in the Fiscal Year 2004-2005 CIP Contingency.)(Council Member Raul Alvarez)**
77. **Authorize execution of a construction contract with SOUTHWEST CORPORATION, Austin, TX, for Health and Human Services Department (HHSD) Phase II - Building 614 Renovations for the Administrative offices of the HHSD in the amount of \$1,003,392 plus a \$50,000 contingency, for a total contract amount not to exceed \$1,053,392. (Funding in the amount of \$1,053,392 is available in the Fiscal Year 2004-2005 Amended Capital Budget of the Health and Human Services Department.) Lowest bid of five bids received. 9.01% MBE and 18.93% WBE subcontractor participation.(Council Member Raul Alvarez)**

80. Authorize negotiation and execution of an amendment to the professional services agreement with HDR ENGINEERING, INC., Austin, TX, for additional preliminary engineering services for the extension of the existing James D. Pfluger Pedestrian Bridge, in the amount of \$183,616 for a total contract amount not to exceed \$540,342. (Funding in the amount of \$183,616 is available in the Fiscal Year 2004-2005 Capital Budget of the Economic Growth and Redevelopment Services Department.) 10.81% MBE and 5.24% WBE subconsultant participation to date.(Council Member Raul Alvarez)
94. Authorize negotiation and execution of a 12-month service agreement with CENTRAL PARKING SYSTEM, Austin, TX, for the management and operation of the IH-35 parking lots for the Building Services Division of the Finance and Administrative Services Department in an amount not to exceed \$72,280, with two 12-month extension options in an amount not to exceed \$72,280 per extension option, for a total agreement amount not to exceed \$216,840. (Funding in the amount of \$24,093 is available in the Fiscal Year 2004-2005 Approved IH-35 Fund of the Finance and Administrative Services Department, Building Services Division. Funding for the remaining eight months of the original contract period and extension options is contingent upon available funding in future budgets.) Best evaluated proposal of five proposals received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.(Council Member Raul Alvarez)